

REMARKS

This application has been carefully studied and amended in view of the Office Action dated June 16, 2009. Reconsideration of that action is requested in view of the following.

This is to confirm the election of Group II with traverse. Claim 21 has been canceled. Claim 24 has been added. Claims 17-20 and 22-23 are readable on elected Group II. Claim 24 is directed to a multilayer plastic fuel tank made by the process of Claim 17. Accordingly, if Claim 17 is allowed Claim 24 should also be allowed.

Claim 19 has been amended in view of the rejection under 35 USC 112. As now amended Claim 19 corresponds to the manner in which it was treated for examination purposes.

It is respectfully submitted that parent Claim 17 and its dependent claims, including newly added Claim 24, are patentable over Short in view of Schmoyer. Claim 17 has been amended to include the feature of now canceled Claim 21 wherein the sulphonated plastic part is sulphonated over at least a portion in contact with the internal volume of the tank.

It is respectfully submitted that the process defined in Claim 17, as particularly amended, is not reasonably suggested by any hypothetical combination of Short and Schmoyer.

Short teaches explicitly (see for example Claim 1, the drawings and paragraphs 13 and 24) to perform a surface treatment on 2 sheets which are then assembled so as to form a fuel tank having the layers resulting from the surface treatment inside (embedded in) the tank wall.

Schmoyer is specific to an apparatus and method that can be used for the surface treatment of accessories, like fuel tank accessories, or fuel tanks themselves.

Hence, by combining the teaching of both references, one of ordinary skill in the art would be inclined to use the apparatus of Schmoyer to treat the sheets of Short and then, to assemble the sheets to get a fuel tank as taught by Short.

Such person would not at all be inclined to merely sulphonate a plastic part intended to close an opening in a fuel tank, over at least a portion in contact with the internal volume of the tank because Short explicitly teaches against that.

Besides, it is worth noting that Schmoyer teaches to make both the tank and the accessories impervious (impermeable) using the same technique (surface treatment) and not to mix a multilayer tank (having hence an internal barrier layer) with a surface treated accessory, which the Applicant found surprisingly giving good results - despite the teaching of Short.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 13332-00007-US from which the undersigned is authorized to draw.

In view of the above remarks and amendments it is respectfully submitted that the elected claims should be allowed.

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Respectfully submitted,

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